

Remarks/Arguments

Entry of the foregoing amendment is respectfully requested. It is respectfully submitted this amendment will place this application clearly in condition for allowance, and should require no more than a cursory review.

This amendment presents claims that were faxed to examiner Bharadwaj, and discussed with examiner Bharadwaj on March 27, 2008. It was the impression of the undersigned that examiner Bharadwaj recognized that the proposed amendments would clearly distinguish over the Pfeiffer reference, which was primarily relied upon in the final rejection. Examiner Bharadwaj suggested that applicants present the foregoing claims, and that she would then review with her supervisor, determine whether any further searching or more than a cursory review would be appropriate, and communicate with the applicant.

The proposed claim revisions are submitted to be clearly outside the cited references, and consistent with the examiner's suggestion in the final rejection that applicants consider narrowing the claims to include specific activities of the enterprise that the invention is trying to track and report. Moreover, since this case has now been searched twice, in areas in which applicants would have expected the closest art to these claims to have already surfaced, applicants believe that this amendment would not require more searching or more than a relatively cursory review, and would clearly put the case in condition for allowance.

Specifically, in the proposed claim amendments, applicants have addressed the section 112 issue raised in the final rejection, by renumbering the independent method claim as claim 39, and amending the dependent method claims to depend from that claim.

Moreover, in the proposed amendment, applicants have limited all of the claims to extraction and processing of **human** objects and their activities relative to the enterprise. From the specification, it is clear that human activities are extremely important to the preferred way of practicing this invention, and limiting the claims to the extraction and processing of human objects and their activities is submitted to clearly define over the Pfeiffer reference, and to

comply with the examiner's suggestion that the claims be narrowed to include specific activities of the enterprise that the invention is trying to track and report.

Still further, in regard to the proposed claim amendments, applicants note that since the Fernandez reference is no longer relied upon, and therefore assumes the prior amendments to the claims overcame that reference. Thus, all applicants have done in the foregoing amendment is to comply with the examiner's suggestion that the claims be narrowed to include specific activities of the enterprise that the invention is trying to track and report, while maintaining the language of the claims that made them clearly patentable over Fernandez.

Regarding the Pfeiffer reference, while applicants believe there is already some language in independent claim 32 that does not believe is disclosed in that reference, applicants submit the additional language that has been added by the foregoing amendment clearly limits all of the claims in a manner that clearly distinguishes them from Pfeiffer. More specifically, the language from prior claim 32 that applicants believe is not found in the Pfeiffer reference is the language that what is extracted solely from the sensor data includes r data changes that enables**connection of object features that should be connected**. In subsection (iii) of the office action, in the discussion of claim 32 in regard to this feature, there is a reference to the Abstract of Pfeiffer, and the comment that "target is separated from background scene". However, applicants have difficulty in finding anything in the abstract of Pfeiffer that discloses or suggests the foregoing feature of claim 32. Moreover, applicants have sought to further distinguish from the Pfeiffer reference, by limiting all of the claims to the extraction and analysis of **human** objects, and the amendments applicants have proposed are all consistent with this limitation. With such a limitation, applicants submit this application is clearly not disclosed by and cannot be an obvious modification of the Pfeiffer reference, which is solely concerned with missile tracking.

In addition, applicants believe this proposed amendment would clearly put the application in condition for allowance and should not require further searching or more than a relatively cursory consideration. This case has been searched twice, based on the original disclosure (which indicated that the invention was particularly applicable to human behavior), and the Fernandez reference, which was previously overcome, was specifically identified in the first

office action as related to managing human activity in relation to an enterprise. Therefore, applicants assume that if there was closer art to the management of human activity of interest to an enterprise, it would have surfaced in the search that uncovered Fernandez. Therefore, applicants respectfully submit that if the claims are further limited in a manner that clearly overcomes the newly cited Pfeiffer reference, in the manner set forth in the proposed claims, applicants would not imagine that a further search, or more than a cursory consideration of this amendment would be required.

For the foregoing reasons, it is respectfully submitted that entry of this amendment would place this case clearly in condition for allowance, and should not require further searching or more than a cursory review. Therefore, entry of this amendment and favorable action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, reading "Lawrence R. Oremland". The signature is written in a cursive, flowing style.

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